



Federation of Dutchess County Fish & Game
Clubs, Inc.
Post Office Box 3201
Poughkeepsie, New York 12603

Federation–December 2016- Board & General Membership Meetings

Legislative Report (Read at regular meeting & placed on Internet site & sent to member clubs & interested parties)

Legislative Report (Posted, read at general meeting & on Internet Site):
Tracking a State Bill: 518-455-7545 or Hotline=800-342-9860/Monday-Friday-9am-6pm.

Bills of Interest (in part):

Bills are tracked when Legislature is in session from January through June of each year. In the second year of the two-year session, New York State legislators are elected to a two-year term. On the first day of the new session, most of the previous year's bills, which remain active at the end of the year, will automatically be carried into the new session, with some exceptions: bills not carried over will include (but are not limited to) those that were Chaptered, vetoed, had the enacting clause stricken, or the sponsor is no longer in the Legislature. A bill will retain its bill number assigned to it in the first year of the two-year session. If a bill only passed its own house last year, it must repass that house again in the new session, before it can advance to the other house. In general, all active bills will be referred to the original committee, with the exception of Assembly bills which passed only the Assembly last year; these bills will be reported to the Assembly's third reading calendar*. *Exception: if an Assembly bill had a "Home Rule Request", that bill will be recommitted, even if it passed the Assembly. (Legislative Rules.)

Club Bill: A06534/ S 04498- "authorizes a shooting preserve to sell ammunition for exclusive use on the preserves; provides that such shooting preserve is not subject to requirement of seller of ammunition." Note: This bill written and requested for Club by this writer.

A10505/S 92: Eliminates the requirement that hunters wear back tags during hunting season in the state; amended & recommitted to DEC. Note-Bill initiated by this writer as Northern Zone and parts of Catskills do not require; poor law enforcement tool, ruins clothes, can lose while hunting and we are the only state that uses this method.

Transfer of Funds:

1-A4917B/S3517B: relates to transfers from the environmental protection fund to the general fund; calls for repayment of funds borrowed from the EPF; referred to environmental conservation.

Enforcement:

1-A5802A/S1087B: grants private citizens broad authorization to commence civil judicial actions under certain titles of the environmental conservation law; 20-year-old bill. Would

allow anyone to initiate enforcement action; 4/25/16 amend and recommit to environmental conservation.

Land owner liability:

1-**A1846/S3101**: Relates to the liability of landowners who permit recreational uses of their land (protects land owners); referred to judiciary.

Firearms:

1-**A 2651/S 1476**: relates to repealing the New York SAFE ACT of 2013; referred to codes.

2-**A 3943/S 1193**: repeals chapter 1 of the laws of 2013, amending the criminal procedure Law and other laws relating to suspension and revocation of firearms licenses; private sale or disposal of firearms, rifles or shotguns; referred to codes.

3-**A 5629A/S 2613 A**: repeals provisions of law relating to sellers of ammunition; referred to codes.

4- **A 5864/S2683**: requires owners of firearms to obtain liability insurance; referred to investigations and government operations.

5-**A 6192A/S1113 A**: requires semiautomatic pistols manufactured or delivered to any licensed dealer in this state to be capable of micro-stamping ammunition; amend and recommit to codes.

6-**A 6486**: requires proof of liability insurance prior to issuing a license to carry a firearm; referred to codes.

7-**A8196/S5837**: relates to firearms; repeals several sections of SAFE Act, transfers pistol license functions to the DCJS; referred to codes.

8-**A5864/S 2683**: requires owners of firearms to obtain liability insurance; referred to investigations and government operations.

9-**A 10404S 4227**: relates to the definition of an assault weapon. Eliminates prohibition of thumb hole stocks on semi-automatic rifles and shotguns; referred to codes.

10-**A8053/S3373**: Authorizes the transfer of certain weapons from an estate to an immediate member of the decedent's family. Permits transfer of "assault" weapon to family member of decedent; referred to codes.

10-**A214**: safe storage of rifles, shotguns, and firearms; referred to codes.

11-**A2040**-requires weapons and ammunition to be secured when being transported and imposes a fine of at least \$1000 for violation; referred to transportation.

12-**S3719**: requires the safe storage of all guns, either in a safe or with a locking device, and provides penalties for simple and complex violations; requires notices; referred to codes.

Hunting:

1-**A3855/S 2634**: makes contests and competitions to take wildlife unlawful; referred to conservation.

2-**A5493/S6221**: provides that the open season for hunting coyotes shall be all year long in certain instances; referred to environmental conservation.

3-**A802**: moratorium on the prohibition of feeding white tailed deer in Sullivan County; referred to environmental conservation.

4-**A1657**: decreases the amount of alcohol in a person's system necessary to be considered to be intoxicated while hunting (makes level .8% the same as DWI and BWI); referred to rules.

Knives:

1-**A 4697/S3455**: prohibits the manufacture, transport, shipment or possession of an undetectable knife; referred to codes.

2-**A9042-A/S6483A**-Relates to the definitions of a switchblade and a gravity knife; includes knives which have a mechanism designed to create a bias towards closure and that requires exertion applied to the blade by hand, wrist or arm to overcome the bias towards closure and open the knife. This bill was passed by the legislature and will soon be sent to Gov. for his approval or veto. The New York State conservation Council supports this bill and has urged the governor to sign it. Basically, this bill is to address the misinterpretation of a variety of knives; many people in New York City have been charged and prosecuted for carrying a knife which was intended to be used as a tool. "The lack of clarity in the current state law, coupled with an excess of prosecutorial zeal, has led to the prosecution of law-abiding individuals who believe that the ordinary folding knives they were carrying were legal. This is an injustice and should be rectified", according to the New York State Conservation Council.

Licensing:

1-**A 1918/S 2951**: protect certain information on hunting, fishing and trapping license and permit applications from disclosure; currently DEC refuses FOIL requests and has not been challenged; referred to environmental conservation.

2-**A7396** eliminates sporting license fees for honorably discharged veterans; referred to environmental conservation.

3-**A7082/S4176**: Relates to the cost of various hunting, fishing and trapping licenses; reduces age for senior licenses to 65; referred to environmental conservation.

Tax:

1-**A7234/S1991**: grants a \$100,000 real property tax exemption to conservation clubs and rod and gun clubs owning certain land having an assessed value of \$500,000 or less; referred to real property taxation.

Marine:

1-**A2023/S1872**: prohibits the taking of striped bass during the period of January 1 to April 15; referred to environmental conservation.

Federal Information:

According to PJ Media:

President-elect Donald Trump, who has a concealed carry permit, has called for the expansion of gun rights, including making said permits applicable nationwide. Mr. Trump also called for the elimination of gun and magazine bans, labeling them a total failure. He further stated, "law-abiding people should be allowed to own firearms of their choice. The government has no business dictating what types of firearms good, honest people are allowed to own." He further

stated, “gun permits, which are issued by states, should be valid nationwide like a driver’s license. If we can do that for driving, which is a privilege, not a right, then surely, we can do that for concealed carry, which is a right, not a privilege.”

State Information:

According to the New York Forest Owners Association (NYFOA):

First Letter:

“NYFOA representatives have met with New York State Department of Environmental Conservation (DEC) staff several times to discuss proposed changes to the 480A Forest Tax Law and also about a new proposal to require landowners to notify DEC prior to any timber harvest.” The two NYFOA letters, to the DEC Commissioner, are as follows:

The New York Forest Owners Association cannot support the changes to 480A as they are currently being proposed by the DEC Division of Lands and Forest. Currently, only a small percentage of forest landowners in New York participate in the program, and we recognize that changes in the law are needed to make it attractive to more landowners and less burdensome for DEC to administer. We applaud the efforts to improve the existing program, but we see serious shortcomings for the typical forest owner that our organization represents. We agree that the current requirements of 480A put an excessive burden on forest owners in on DEC foresters who oversee the program.

As currently administered, DEC regulations create much of the burden to landowners and DEC staff. Changes in these regulations within the existing law greatly improve the program. Requiring management plan updates at 10 year intervals instead of the current 5 year intervals would be a big improvement. More flexibility in completing the required forestry work plan at any time within this 10-year interval would be good, rather than forcing landowners to comply with a rigid yearly schedule.

NYFOA has suggested that DEC could develop a “Certified Forester Program” to greatly reduce the administrative burden to DEC in administering the 480A Forest Tax Law. This program would mirror the Agricultural Environmental Planner Certification system DEC uses for implementing SPDES Permits for Concentrated Animal Feeding Operations or the Certified Professional in Erosion and Sediment Control for Stormwater Management Permits. Both systems put the responsibility for planning and implementation in private hands while DEC still has the vital role and oversight. There is no reason why this cannot be done with the many professional consulting foresters in our state. We recognize that it will take some time and money to develop a Certified Forester Program. We recommend that DEC work with Cornell University, SUNY College of Environmental Science and Forestry, consulting foresters and NYFOA to develop this program.

As proposed, third party forest certification may be a viable option for large industrial timber landowners but would be cost prohibitive for most private forest landowners in New York. NYFOA would support a credible and affordable group certification option for smaller landowners. We support reducing the minimum acreage requirement from 50 to 25 acres with a new category of 40% assessment reduction for a 10-year commitment. As proposed, however, this becomes more of an “Open Space Initiative” than a sustainable forest program.

We feel that land included in the program should be at least 80% forested and that DEC should require a “Forest Stewardship Plan”. This would bring more private wood lands under sustainable management with all the benefits to the environment, the public, wildlife, and the forest products economy.

Any changes to the Forest Tax Law must have accompanying funding to reimburse local jurisdictions for their loss of property tax revenue. A well-managed forest reserve benefits all New Yorkers and the cost should be borne by all.

We will gladly discuss any forest issues with you. We sincerely hope that you can appreciate our concerns of forest land taxation, and will incorporate our recommendations. We know that you share NYFOA’s concerns for sustainable forest practices and improve stewardship on privately owned woodlands in New York State.”

Second Letter:

“Recently members of the Board of the New York Forest Owners Association (NYFOA) met with members of your staff to discuss a yet to be defined regulation that would require landowners to notify the DEC prior to any harvests of timber on their property. After the meeting, the Board members were concerned that the basis and implications of this proposed regulation had not been carefully thought out. These elements need further development and public discussion.

The conversation about pre-harvest notification needs to be presented in a written form to the public with sufficient opportunity to allow the public to assess and comment. Nothing written regarding this proposed regulation was presented by the DEC staff and there was disagreement among staff when asked specific questions. A written form of the proposed regulations would require the DEC staff to clarify their positions, state the objectives and details of their plan and allow the public to clearly understand and comment on the DEC proposal. Clarification, disclosure, and discussion will allow the regulation, if it is finalized, to provide the best possible value to all parties.

Relevant to this conversation is the process that the DEC has used to raise awareness of their intent. Rumors of the preharvest timber notification have circulated widely for several months, yet the failure to provide written details cast doubt on the legitimacy and sincerity for this proposed notification. However, in all cases the discussion of the rumored notification has failed to develop a logical basis, define a need, substantiate the value of a regulation over other methods, or differentiate how a regulation on the harvest of a forest crop differs from other crops. Given the impact of the presumed yet to be proposed regulation, the DEC staff should work more closely with NYFOA and other potentially affected organizations to ensure the citizens most impacted are fully engaged.

At the meeting the DEC staff could not clearly articulate the need for or value of this new regulation. This basis is fundamental to any proposed regulation. NYFOA suggests that DEC staff write down a clear vision of what they hope to gain by this regulation and the value of the regulation to the private forest land owner, forest industry and public. Further, the DEC staff should detail why a regulatory approach, with associated costs and infringement, is more appropriate than a non-regulatory approach. NYFOA members would be glad to meet with staff to discuss and enhance the proposed regulation. The woodland owners, the forest

industry and the people of New York do not need another inefficient or unenforceable regulation that provides little value to anyone.”

Legislative resources:

New York Senate: www.nysenate.gov

New York State Assembly: www.assembly.state.ny.us/mem/

New York Senator=Sue Serino-41st. District

Serino@nysenate.gov

LOB Room 617, Albany, N.Y. 12247

Assemblyman Kieran Lalor-105th. District-LaLork@assembly.state.ny.us

US Congressman Chris Gibson – 19th District – Gibson.house.gov

Assembly woman Didi Barrett – 106th. District – Barrett D@assembly.state.ny.us

New York Senator – 40th District – Terrance Murphy – Murphy@NYSenate.gov-LOB Room 817,
Albany,N.Y. 12247 – 518-455 – 3111

US Congressman Sean Patrick Maloney – 18th District – Seanmaloney.house.gov

US Senator Kristen Gillibrand– www.gillibrand.senate.gov/contact/

US Senator Charles Schumer – www.Schumer.senate.gov/contact Chuck.CFM

Gov. A. Cuomo – www.governor.NY.gov

Important Contact Groups:

Shooters Committee on Political Action(SCOPE):www.scopeny.org

SCOPE legislative reports are available at this website

SCOPE INC, Attention Legal Defense Fund Project (for donations)

P.O. Box 12711

Rochester, N.Y.14612

New York Firearms: www.nyfirearms.com

Second Amendment Foundation: www.saf.org

National Rifle Association: www.homenra.org

National Shooting Sports Foundation: www.nssf.org

National Association for Gun Rights: www.nationalgunrights.org

Firearms Policy Coalition: www.firearmspolicy.org

Gun Owners of America: www.gunownersofamerica.org

For Dutchess County Federation of Fish and Game Clubs monthly report go to:
www.dutchessfishandgame.org

New York Safe Act: www.governor.ny.gov/nysafeact/gun-reform

New York State police Field Guide to the New York State SAFE Act:
www.nypdcea.org/pdfs/nysp_safe_act_field_guide

New York State Rifle and Pistol Association (NRA Affiliate): www.nysrpa.org

Note: NYSR&PA Legislative Report is available at this website which follows all important bills.

New York State Conservation Council – look up bills –www.nyscc.com

Submitted by:

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Cc: Secretary